

MINUTES

EAU CLAIRE CITY COUNCIL LEGISLATIVE MEETING

Tuesday, October 10, 2017

City Council Chamber

4:00 p.m.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Council President Kincaid called the meeting to order. The following members were present: Council Members Kate Beaton, Catherine Emmanuelle, Kerry Kincaid, David Klinkhammer, Kathy Mitchell, David Strobel, Tim Tewalt, Bob Von Haden, Terry Weld, Andrew Werthmann, and Michael Xiong.

CONSENT AGENDA

The Council considered a resolution adopting the Consent Agenda for the following items of routine business on Tuesday, October 10, 2017:

- Adopting the Consent Agenda.
- Approving the Minutes of the September 26, 2017 Council Legislative Session.
- Granting new bartender licenses.
- Granting a Temporary Class B Fermented Malt Beverage and Temporary Class B Wine license to Eau Claire Area Hmong Mutual Assistance Association, Inc., Willis Xiong, president, on November 11-12, 2017, at Eau Claire Indoor Sports Center, 3456 Craig Road, for the Annual Eau Claire Hmong New Year Celebration event.
- Approving Procurement No. 2017-61, South Side Water Main Extension.

Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the consent resolution.” Said motion passed by unanimous vote.

LICENSE

The City Council considered a resolution granting a Combination Class B Intoxicating Liquor & Fermented Malt Beverage license. There was one regular license available and two applicants:

J&L Corporation of Eau Claire, Inc.
d/b/a The Pickle
341 Water Street
Elizabeth Hart, Agent

Pizza Plus, LLC
d/b/a The Metro
201 E. Lake Street
Benny Haas, Agent

Assistant City Attorney Doug Hoffer made a presentation on the process and the findings of the License Review Committee. Council heard brief presentations from the two applicants.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Von Haden “to adopt the resolution granting the license to J&L Corporation of Eau Claire, Inc., d/b/a The Pickle.” Said motion failed by the following vote:

Aye: Council Members Klinkhammer, Strobel, Von Haden and Xiong.

Nay: Council Members Beaton, Emmanuelle, Kincaid, Mitchell, Tewalt, Weld and Werthmann.

Thereupon a motion was offered by Council Member Mitchell and seconded by Council Member Emmanuelle “to adopt the resolution granting the license to Pizza Plus, LLC, d/b/a The Metro.” Said motion passed by unanimous vote.

Council Members Von Haden and Werthmann left Council Chambers.

AGREEMENT

The City Council considered a resolution approving an agreement with Mayo Clinic Health System—Northwest Wisconsin Region, Inc., regarding a subsidy for the provision of emergency medical services to various participating surrounding communities in the greater Eau Claire area. Council Members Von Haden and Werthmann returned to Council Chambers. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Klinkhammer “to adopt the resolution.” Said motion passed by unanimous vote.

GRANT

The City Council considered a resolution authorizing the Community Services Department - Transit Division to apply for the Transportation Investment Generating Economic Recovery (TIGER) Discretionary Grant through the U.S. Department of Transportation. Thereupon a motion was offered by Council Member Weld and seconded by Council Member Tewalt “to adopt the resolution.” Said motion passed by unanimous vote.

Council Member Beaton left Council Chambers.

ECONOMIC DEVELOPMENT SUMMIT

The City Council considered a resolution authorizing the City Manager to sign an Economic Development Summit Memorandum of Understanding with 10 partner agencies to form a co-leadership task force to develop an Economic Development Strategic Action Plan for the Eau Claire Region. Council Member Beaton returned to Council Chambers. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Emmanuelle “to adopt the resolution.” Said motion passed by unanimous vote.

The City Council considered a resolution appointing a Council Member to the Eau Claire Area Economic Development Summit Strategic Action Task Force. Council Members Emmanuelle and Tewalt provided brief presentations indicating interest in being appointed. Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann “to insert the name of Council Member Emmanuelle into the resolution.” Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Kincaid, Mitchell, Werthmann and Xiong. Nay: Council Members Klinkhammer, Strobel, Tewalt, Von Haden and Weld. Thereupon a motion was offered by Council Member Emmanuelle and seconded by Council Member Xiong “to adopt the resolution with insertion.” Said motion passed by unanimous vote.

INDIGENOUS PEOPLES' DAY

The City Council considered a resolution declaring the second Monday in October as Indigenous Peoples' Day in the City of Eau Claire. Upon request of Council Member Beaton, Dr. Debra Barker of the University of Wisconsin-Eau Claire and Representative Hinu Smith of the Ho-Chunk Nation provided presentations.

Thereupon a motion was offered by Council Member Beaton and seconded by Council Member Werthmann "to adopt the resolution" declaring the second Monday in October as Indigenous Peoples' Day in the City of Eau Claire.

Thereupon a motion was offered by Council Member Klinkhammer and seconded by Council Member Strobel to amend the resolution to strike the third and fourth WHEREAS clauses as follows:

"WHEREAS, journal entries from Columbus show his desire to enslave the Indigenous populations of the Caribbean, and he imprisoned and transported many hundreds of people to this end; and

WHEREAS, Columbus' colonization of North America led to the genocide of the original inhabitants of this land and the decimation of their culture."

Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Von Haden to amend the prior motion to also strike the first and second WHEREAS clauses as follows:

"WHEREAS, Columbus Day has been celebrated unofficially since the early 18th century, and was officially made a Federal Holiday in 1937 to be celebrated on the second Monday of October; and

WHEREAS, the day commemorates the landing of Christopher Columbus in the Americas on October 12, 1492."

Said motion passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt and Von Haden. Nay: Council Members Beaton, Emmanuelle, Weld, Werthmann and Xiong.

A vote was then taken on the amended motion of Council Member Klinkhammer, seconded by Council Member Strobel, to strike the first four WHEREAS clauses as stated above. Said motion passed by the following vote: Aye: Council Members Kincaid, Klinkhammer, Mitchell, Strobel, Tewalt, Von Haden and Weld. Nay: Council Members Beaton, Emmanuelle, Werthmann and Xiong.

Thereupon a vote was taken "to adopt the resolution as amended." Said motion passed by the following vote: Aye: Council Members Beaton, Emmanuelle, Klinkhammer, Mitchell, Tewalt, Von Haden, Weld, Werthmann and Xiong. Nay: Council Members Kincaid and Strobel.

ZONING

The Council considered an ordinance amending the 2015 Eau Claire Comprehensive Plan, Planned Land Use Map for property at 2306 and 2320 Frank Street and rezoning these properties from R-3 to C-2P and to adopt the General Development Plan for the Hope Gospel Mission Women's Facility (File Z-1612-17). Thereupon a motion was offered by Council Member Tewalt and seconded by Council Member Weld "to adopt the ordinance." Said motion passed by unanimous vote.

Council Members Beaton and Tewalt left Council Chambers.

The Council considered an ordinance rezoning property at 4517 Harless Road from TR-1A to R-1P and to adopt the General Development Plan for a reduced lot width (File Z-1613-17). Thereupon a motion was offered by Council Member Werthmann and seconded by Council Member Xiong “to adopt the ordinance.” Said motion passed by the following vote:
Aye: Council Members Emmanuelle, Kincaid, Klinkhammer, Mitchell, Strobel, Von Haden, Weld, Werthmann and Xiong. Absent: Council Members Beaton and Tewalt.

The Council considered an ordinance rezoning property at 1814 Bellinger Street from RMP to C-1P and to adopt the General Development Plan for a child play center (File Z-1614-17). The applicant has requested to withdraw the rezoning request. Thereupon a motion was offered by Council Member Von Haden and seconded by Council Member Emmanuelle “to indefinitely postpone consideration of the ordinance.” Said motion passed by unanimous voice vote.
Absent: Council Members Beaton and Tewalt.

ANNEXATION

The City Council had first reading on an ordinance in accordance with Section 66.0217 Wisconsin Statutes, annexing to the City of Eau Claire and particularly to the 6th Assessment Ward, 4th Aldermanic District, Lot 19 of Block 5 O’Driscoll’s Addition and a portion of Sherman Creek Road R/W as dedicated by O’Driscoll’s Addition lying east of and adjacent to Lot 19 of Block 5 of O’Driscoll’s Addition all located in the SE-NW of Section 24, T27N, R10W, Town of Union, Eau Claire County, as shown on Planning Drawing No. 17-6A (Horn Petition). (Per Wisconsin Statutes 66.0217(8), an annexation ordinance requires a two-thirds (2/3) vote “of the elected members of the governing body.” Therefore, eight (8) affirmative votes of the eleven (11) elected Council members are required for adoption of an annexation ordinance.)

ADJOURNMENT

A motion was offered by Council Member Werthmann and seconded by Council Member Strobel “that this meeting does now adjourn without objection.” Said motion passed by unanimous consent.

Adjournment: October 10, 2017

Time: 6:27 p.m.

ATTEST:

/s/ Kerry J. S. Kincaid, President

/s/ Carrie L. Riepl, City Clerk